

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BRUCE ERIC WILLIAMS,

Plaintiff,

v.

Doctor ROMANA and
Nurse SWANSON,

Defendants.

ORDER

09-cv-280-vis

In this case plaintiff Bruce Williams is proceeding on his claims that defendants Doctor Romana and Nurse Swanson failed to provide adequate medical treatment for plaintiff's throat problems in violation of the Eighth Amendment. On September 25, 2009, defendant Romana moved for summary judgment and briefing was set on the motion. The certificate of service defendant Romana filed with his summary judgment materials indicates that on September 25, copies of the motion for summary judgment and supporting materials were mailed to plaintiff at the following address: Victorville U.S. Penitentiary, Inmate Mail/Parcels, P.O. Box 5500, Adelanto, California, 92301. On October 1, 2009, defendant Romana filed a "certificate of service (second attempt)," explaining that the summary judgment materials mailed on September 25 were returned marked "Not Deliverable" and that the materials had been re-mailed to plaintiff at the Sauk County jail, which is facility in which plaintiff was detained at the time he filed this lawsuit.

The court has learned that plaintiff *is* currently detained at the Victorville U.S. Penitentiary and that it is possible defendant Romana's recent mailings were returned because the proper P.O. Box for inmate mail is 5300 rather than 5500. Therefore, I will direct defendant Romana to re-serve his motion and supporting materials on plaintiff at the correct address no

later than October 9, 2009. Plaintiff will have until November 9, 2009, to file a response, and defendant Romana will have until November 16, 2009, to file a reply.

ORDER

IT IS ORDERED that defendant Romana must re-serve his summary judgment motion and supporting materials on plaintiff at the correct address no later than October 9, 2009. Plaintiff will have until November 9, 2009, to file a response, and defendant Romana will have until November 16, 2009, to file a reply.

Entered this 2nd day of October, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge